



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington DC 20590

PIPELINE SAFETY

2010 State Damage Prevention Grant

for

MISSISSIPPI PUBLIC SERVICE COMMISSION

Please follow the directions listed below:

1. Review the entire document for completeness.
2. Review and have an authorized signatory sign page 2.
3. Fasten all pages with a paper or binder clip - no staples please as this package will be scanned upon it's arrival at PHMSA.
4. Mail the entire document, including this cover page to the following:

**ATTN: Karina Munoz
U.S. Department of Transportation
Pipeline & Hazardous Materials Safety Administration
Office of Contracts and Procurement
1200 New Jersey Avenue, SE Second Floor E22-228
Washington, D.C. 20590**

FedSTAR Information

Submission Date: 8/27/2009 11:08:17 AM



Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE
Washington DC 20590

DEPARTMENT OF TRANSPORTATION

APPLICATION

2010 GRANT PROGRAM IN SUPPORT OF STATE DAMAGE PREVENTION

The MISSISSIPPI PUBLIC SERVICE COMMISSION hereby applies to the Department of Transportation for Federal funds appropriated for the support of State Damage Prevention Programs established under 49 U.S.C. Section 60134 et seq.

The State agency plans to carry out the State Damage Prevention Program, during calendar year 2010, as described in Attachment 1, "Project Abstract/Statement of Objectives". To accomplish the program, the state agency proposes to expend funds as set forth in Attachment 4, "State Damage Prevention Estimated Budget".

Signature

Title

Date



Project Abstract/Statement of Objectives

Please provide a clear and concise description of the work this grant will fund for calendar year 2010

Project Abstract/Statement of Objectives

This project addresses element four (4).

Mississippi Public Service Commission, a stakeholder in the Mississippi Damage Prevention Committee (MDPC) will produce and distribute an interactive DVD/Web based training program targeted to operators, excavators, one-call personnel, contract locators, design engineers, and other stakeholders.

The MDPC has selected a training committee from its stakeholders to develop learning objectives based on their perspectives and needs. The committee will develop a story board "From concept to cleanup", designed to a project from start to finish. The training will focus on identifying stakeholders and their necessary roles in the creation of an effective partnership working together to prevent damages. The life cycle of a Mississippi 811 ticket will be the foundation for bringing stakeholders together, for identifying the applicable components of the damage prevention law, CGA best practices, and defining the qualities necessary for a successful partnership that results in cost effective and damage free projects.

The interactive format, designed to engage the participant in the learning activities, will be approximately one hour in length. The training program is primarily a web application that can track all participants who log on and their progress. Participants must respond with correct answers to move to the next chapter of the program. Certificates and training CEUs will be made available for the successful completion of the program. Initially, access to the training program will be available through the Mississippi PSC, the Mississippi 811, and/or the MDPC website.

DVDs and training manuals will be produced to allow those without internet access to benefit from the project. Mississippi 811 damage prevention staff will incorporate the training DVD in all field and safety training sessions with excavators and operators across the state.

The expectations of this project are as follows:

- ? Bring stakeholders together to ensure that all concerns and issues are addressed to validate the need for and relevancy of this training program in Mississippi.
- ? Plan and produce a comprehensive training program for the employees of stakeholders to create a stronger and more effective partnership based on a greater understanding of the different perspectives and needs.
- ? Obtain training credit hours from all applicable entities, such as Mississippi Department of Health, Mississippi Engineering Association, Mississippi Public Service Commission, Mississippi Municipal League and the Mississippi County Supervisors Association to encourage greater participation and add value to the project.
- ? Reduce the number of third party damages to underground utilities.



State Damage Prevention Elements

ELEMENT 1 - EFFECTIVE COMMUNICATIONS

"Participation by operators, excavators, and other stakeholders in the development and implementation of methods for establishing and maintaining effective communications between stakeholders from receipt of an excavation notification until successful completion of the excavation, as appropriate."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The Mississippi Damage Prevention Committee (MDPC) was established in 2007 to develop a plan and strategy for making Mississippi's damage prevention program stronger and more effective.

Legislation was passed in 2008 requiring membership in Mississippi 811 (the one-call system) for all owners/operators of underground facilities. Following the implementation of that initiative, the MDPC recommended that in 2009 the state propose legislation to incorporate electronic positive response to improve the communications between stakeholders.

The proposed legislation passed in the 2009 legislative session and will go into effect January 1, 2010.



ELEMENT 2 - COMPREHENSIVE STAKEHOLDER SUPPORT

"A process for fostering and ensuring the support and partnership of stakeholders, including excavators, operators, locators, designers, and local government in all phases of the program."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Damage Prevention Coordination Council (DPCC) groups have been formed across the state and meet regularly. These groups have grown in number and relevancy in coordinating local projects and providing utility contacts between the stakeholders.

The MDPC was established as one of our top priorities to continue to reach out to all stakeholders. There has been phenomenal growth in the number of members, stakeholder groups, and accomplishments. The legislative success enjoyed by Mississippi has been in large part due to the influence and cooperation of the MDPC in gaining support from organizations that in the past have opposed initiatives such as required membership in the one-call system.

Already stakeholders such as County Supervisors, Municipal League, Rural Water Association, Public Service Commission, Contract Locating, State Fire Marshal's office, and the One-Call system have joined together with interested utilities and pipeline companies to continue to reach out to other stakeholders to ensure ongoing support and partnership based on mutual trust and respect.

In 2009, we have added the AGC/ABC, M-DOT, the Insurance industry and the Railroad industry to our list of stakeholders interested in working together to create a stronger and more effective damage prevention program.



ELEMENT 3 - OPERATOR INTERNAL PERFORMANCE MEASUREMENT

"A process for reviewing the adequacy of a pipeline operator's internal performance measures regarding persons performing locating services and quality assurance programs."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

As with every critical area to pipeline safety, locating a service safely and accurately is most important. The MDPC has a high level representative from the largest locator group operating in our state. He is able to keep us informed of issues and challenges that arise in the field. Our pipeline safety inspectors look at the training afforded persons who perform locating services for our operators. We also check regularly to make sure our operators keep an up-to-date list of potential excavators near or over their pipelines. In order to manage this task of monitoring performance of these locators, one must consider both the in-house and contract locating personnel. All operators should establish minimum training requirements for contract locators and have an acceptable feedback mechanism to measure their performance. Our inspectors advise operators to monitor performance issues, good and bad, and have retraining and regular in-service training conducted as necessary.



ELEMENT 4 - EFFECTIVE EMPLOYEE TRAINING

"Participation by operators, excavators, and other stakeholders in the development and implementation of effective employee training programs to ensure that operators, the one call center, the enforcing agency, and the excavators have partnered to design and implement training for the employees of operators, excavators, and locators."

Does the proposed project address this element? (Required) Yes

Describe any existing state initiatives that support this element: (Required)

In 2008, the MDPC, Public Service Commission and Mississippi 811 created the first annual Damage Prevention Summit for Mississippi (a regional CGA event). It was well attended and the sessions were designed to promote damage prevention through partnership. Training hours were secured by the appropriate state agencies for elected officials, water operators, gas operators and engineers. The second Summit is scheduled for November 2009 and registration is ahead of last year's schedule. The comments from last year's attendees convince us that this event will become a signature event for Mississippi and an important means for bringing stakeholders together.

In 2008, the MDPC created a training committee to develop a plan and strategy for effective employee training. The purpose of this grant application is to help achieve that plan and strategy.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

The partnership created through the MDPC has worked well in developing training opportunities for the Summit (an annual event). This proposed project allows the Committee to build on the foundation created over the last 2 years in developing a training program that will be recognized as the guideline for digging safely in Mississippi. Implementing this program with the stamp of approval from the stakeholders involved will gain immediate buy-in from organizations that would otherwise be hesitant to support it.

Additionally, working with the various organizations and associations to offer training credit to go through the training will be easier by having those same organizations involved in the project from the beginning. The grant funds will allow us to focus on bringing and keeping the stakeholders together, focused on the project rather than have them focus on how to fund it.

ELEMENT 5 - PUBLIC EDUCATION

"A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

In 2008, the MDPC created a committee to develop, recommend, and prioritize methods and materials to be used for public education. The first project developed was the production of a video designed to be presented at civic clubs, schools and other public meetings across the state. The video has been mass produced and has been a great benefit in gaining support for our efforts.

Mississippi 811 has produced a quarterly damage prevention magazine that is mailed to all users and members of the one-call system. The mailing list includes mayors, county supervisors, and members of the state legislature. The magazine promotes legislative efforts as well as a stronger and more effective damage prevention accomplished through the power of partnership. The MDPC uses the magazine to keep our message in front of all stakeholders in Mississippi. The publication is made available to all subscribers free of charge.

The MDPC has a website, www.msdamageprevention.com that will be utilized to reach all stakeholders as programs are implemented.



ELEMENT 6 - DISPUTE RESOLUTION

"A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Discussions are taking place by assigned committees as how best to approach this element. In the interest of fairness and in the spirit of cooperation, the MDPC is leaning toward the development of a balanced committee of stakeholders to review violations of the damage prevention law or the assignment of penalties for such violations.

The MDPC believes significant progress has been made in getting support for both elements 6 and 7 and is working to craft and introduce legislation that incorporates these elements in the 2010 legislative session.



ELEMENT 7 - ENFORCEMENT

"Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

In 2007, the MDPC established a timeline to achieve fair and effective enforcement within four years. Based on the progress and momentum achieved in gaining support for the earlier efforts, the MDPC is committed to proposing legislation for fair and effective enforcement in the 2010 legislative session.

We believe that we are able to achieve this goal ahead of our timeline because of our website, regional meetings, the Mississippi 811 magazine and other efforts that have allowed us to keep the message in front of all stakeholders on a consistent basis. The Mississippi Damage Prevention Summit will focus on the issue of enforcement this year just months in advance of the upcoming legislative session.

Tremendous strides have been made in gaining consensus from stakeholders in advance of the legislative session.



ELEMENT 8 - TECHNOLOGY

"A process for fostering and promoting the use, by all appropriate stakeholders, of improving technologies that may enhance communications, underground pipeline locating capability, and gathering and analyzing information about the accuracy and effectiveness of locating programs."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Over the past six years, Mississippi 811 utilized GPS technology to map the entire state. The 811 facility database is in a spatial environment which allows for more accurate ticket transmission. The 811 staff has ongoing training for the conversion and utilization of the integrated mapping system.

Mississippi 811 has implemented the use of DIRT to gather and analyze information regarding damages that occur throughout our state. This information will be available to the MDPC so that the Committee can best determine the next logical steps for reducing damages.



ELEMENT 9 - DAMAGE PREVENTION PROGRAM REVIEW

"A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The MDPC has spent the bulk of our energy and resources in creating meaningful relationships that have culminated in legislation promoting a safer place to live and work in Mississippi.

We recognize the value of review and have assigned the task of determining the best process for review and analysis to a committee within the MDPC. We are looking at other programs that have successfully implemented element 9 for guidance.



Legislative/Regulatory Actions

Provide a description of any legislature or regulatory actions (including legislative/regulatory studies) taken by the State within the past five (5) years pertaining to damage prevention program improvement, even if those actions were not completely successful.

In 2007, the Mississippi Public Service Commission and Mississippi 811 (the one-call system), agreed to host a meeting for interested parties to explore the possibility of bringing stakeholders together to discuss keeping Mississippi a safer place to live and work.

At that meeting the decision was made to form the Mississippi Damage Prevention Committee (MDPC). The MDPC would begin the process of identifying the logical steps (including legislative initiatives) to achieve the goal of a stronger and more effective damage prevention program.

Legislation enacted since that first meeting is as follows:

? Passed in the 2008 session - requires all owners/operators of underground facilities in Mississippi to be a member of the one-call system.

? Passed in the 2009 session ? All underground utility lines installed after 01-01-10 must be locatable.

? Passed in the 2009 session ? The state law was changed to reflect wording of federal guidelines, "requiring the excavator to immediately call 911 in the event of a damage permitting escape of any hazardous material that may endanger life or cause serious bodily harm or damage to property."

? Passed in the 2009 session ? Positive response defined and established in Mississippi.

Proposed legislation for the upcoming 2010 session focuses on elements six and seven. The legislative committee of the MDPC has been working for the past four months on crafting the proposed legislation with representatives from interested stakeholders. Stakeholders working on this proposed legislation include the PSC, County Supervisors, Municipal League, Rural Water, Contract Locators, One-Call, Railroad, M-DOT, Utility Operators, Building Contractors and others. Significant progress has been made. The committee has worked diligently through the interests and perspectives of the individual groups, and we are close to finalizing the proposed legislation.

State Damage Prevention Application Attachments

2010 gov ltr.pdf
Proposal for training.pdf



Proposal for PSC training project

July 27, 2009

Mark McCarver
Director of Pipeline Safety
Mississippi Public Service Commission
501 West Street
Jackson, MS 39215

Dear Mark:

Thank you for considering ACTS for this very important project. Listed below is a summary of the project as I understand it and a proposal for implementation. I further understand that the project depends on the availability of grant funds. And that if funded, project will be for the year 2010. ACTS will have no problems in meeting your time schedule.

The proposed project is to produce and distribute an interactive DVD/Web based training program targeted to operators, excavators, one-call personnel, contract locators, design engineers, and other stakeholders. The interactive format, designed to engage the participant in the learning activities, will be approximately one hour in length. The training program is primarily a web application and that you want to track all participants and their progress. You want ACTS to develop in conjunction with the MDPC, assessments for modules and final assessment for the course. Participants must respond with correct answers to move to the next chapter of the program.

The project calls for ACTS to develop the program, assessments and also web access for the program. Additionally, ACTS will host the program and develop appropriate analytics as defined by the Committee. Initially, access to the training program will be available through the Mississippi PSC, the Mississippi 811, and/or the MDPC website. Other sites can be given the link to the program as you desire.

DVDs and training manuals will be produced to allow those without internet access to benefit from the project. Mississippi 811 damage prevention staff will incorporate the training DVD in all field and safety training sessions with excavators and operators across the state.

Out-of-pocket expenses, such as long-distance telephone calls, photocopies, computer printouts, fax charges, messengers, and local and out-of-town travel incurred in connection with the project are included in the proposal.

Sincerely,

Roger Cox

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	State Damage Prevention Program	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
10.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
11.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
12. TOTAL (sum of lines 8-11)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
14. Non-Federal	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
15. TOTAL (sum of lines 13 and 14)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b)First	(c) Second	(d) Third	(e) Fourth
16.	State Damage Prevention Program	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
17.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
18.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
19.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
20. TOTAL (sum of lines 16 - 19)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges: <input type="text"/>	22. Indirect Charges: <input type="text"/>
23. Remarks: <input type="text"/>	

Application for Federal Assistance SF-424

Version 02

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

* 3. Date Received:

08/31/2009

4. Applicant Identifier:

5a. Federal Entity Identifier:

* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

MISSISSIPPI PUBLIC SERVICE COMMISSION

* b. Employer/Taxpayer Identification Number (EIN/TIN):

64-6000806

* c. Organizational DUNS:

878639368

d. Address:

* Street1:

P. O. Box 1174

Street2:

* City:

Jackson

County:

* State:

MS: Mississippi

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

39215-1174

e. Organizational Unit:

Department Name:

MISSISSIPPI PUBLIC SERVICE CO

Division Name:

Pipeline Safety Division

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mrs.

* First Name:

Ilicia

Middle Name:

* Last Name:

Boaler

Suffix:

Title:

Administrative Assistant

Organizational Affiliation:

* Telephone Number:

601-961-5485

Fax Number:

601-961-5469

* Email:

ilicia.boaler@psc.state.ms.us

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Pipeline &Hazardous Material Safety Administration

11. Catalog of Federal Domestic Assistance Number:

20.720

CFDA Title:

Pipeline Safety

* 12. Funding Opportunity Number:

DTPH56-10-SN-0001

* Title:

State Damage Prevention Grants

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

* 15. Descriptive Title of Applicant's Project:

MISSISSIPPI PUBLIC SERVICE COMMISSION State Damage Prevention

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

Version 02

*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION

MISSISSIPPI PUBLIC SERVICE COMMISSION

* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: Mr. * First Name: Brian Middle Name:
* Last Name: Ray Suffix:
* Title: Executive Secretary

* SIGNATURE: Mark McCarver

* DATE: 08/31/2009



STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR

HALEY BARBOUR
GOVERNOR

The Mississippi Public Service Commission Pipeline Safety Division is the State Authority eligible to receive the CY2010 PHMSA State Damage Prevention Program (SDPP) Grant.

Signed

Haley Barbour

Date

8-20-09